

EXHIBIT 2

From: [Christian Hurt](#)
To: [Schickel, Samoneh](#)
Cc: [Gaede, William](#); [Jamie Levien](#); [Saif Askar](#); [Columbia, Sarah](#); [Fischer, Sarah](#); [Kim, Mandy](#); [Melissa Pitre](#); [MD Anderson-Alnylam](#); [Amanda K. Johns](#)
Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order
Date: Tuesday, June 3, 2025 4:32:33 PM
Attachments: [image001.png](#)
[image002.png](#)

[External Email]

Thanks Sammy.

The 5/30 meet-and-confer suffices from our perspective. We're opposed to the Motion for a Protective Order.

I was hoping we could reach a compromise on the issue. We disagree with Defendants' position on discovery. As you know, Plaintiffs' view is that discovery, including venue discovery, opened under the Scheduling Order. Discovery is not stayed while the Motion to Stay is pending, and Defendants are not substantially justified to withhold discovery under Rule 37. I was hoping we could each give a little bit to avoid motion practice, especially since the request below overlaps with merits issues. We will re-notice the depositions for 6/10 to 6/13 so Defendants can get the motion on file.

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: (214) 978-4060 | Mobile: (832) 659-4460

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Tuesday, June 3, 2025 at 3:47 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Thanks for your email, Christian. Given Alnylam's pending motion to stay, we can't agree to Plaintiff's conditions. In particular, Plaintiff has not met its burden to show that it is entitled to venue discovery, nor has the Court ruled on that.

Please let us know if Plaintiff is still willing to postpone the deposition notices from between 06/10 and 06/13 to between 07/08 and 07/11. If not, please let us know if you will oppose our motion for a protective order, and if the parties can agree that the meet and confer we had on 05/30 suffices in meeting the parties' obligation to meet and confer under the local rules with respect to Alnylam's motion for a protective order.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Tuesday, June 3, 2025 12:35 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Sammy and Bill – Thanks for taking the time to meet-and-confer on Friday.

We can agree to postpone the deposition notices to between July 8th and July 11th if Alnylam will agree to produce by June 24th the following documents:

1. All non-privileged documents shown to, reviewed by, and/or or relied upon by Mr. Bossone in connection with his two declarations (Dkt. 21-1 and 25-1).
2. All submissions to regulatory agencies (in unredacted form) such as the FDA.

Let me know if this works.

Thanks,

Christian

McKool Smith | Christian Hurt

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From: Christian Hurt <churt@McKoolSmith.com>

Date: Friday, May 30, 2025 at 7:47 AM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

That works. Talk to you all at 1000.

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McKool Smith | Christian Hurt

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From: Schickel, Samoneh <Sschickel@mwe.com>

Sent: Wednesday, May 28, 2025 3:20:04 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Thanks, Christian. We are available this Friday at 10 AM CST. If that time works for you, please use the dial-in below.

Join McDermott Zoom Meeting

Meeting ID: 999 0174 9816

Password: 206798

Phone one-tap: US: [+16699009128..99901749816#..#.206798#](tel:+16699009128..99901749816#..#.206798#) or
[+17207072699..99901749816#..#.206798#](tel:+17207072699..99901749816#..#.206798#)

Meeting URL: <https://mwe.zoom.us/j/99901749816?pwd=7n6hbav2o3aV8ICDuwkRAS35PM0Y7V.1&from=addon>

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Italy: +39 020 066 7245
Germany: +49 69 3807 9883
Belgium: +32 2 290 9360

Phone Password: 206798

International numbers

SAMMY SCHICKEL
Partner

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Website | **vCard** | **LinkedIn**

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Wednesday, May 28, 2025 9:56 AM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Hi Sammy –

I'll need to get back to you on this.

In any case, let's set a meet-and-confer call later this week / early next week in the event we're

unable to reach agreement on this. My schedule is generally open this week except for Friday afternoon. I'm generally open next week except for Monday morning.

Thanks,

Christian

McKool Smith | Christian Hurt

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Tuesday, May 27, 2025 at 3:18 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

The parties agreed to extend Plaintiff's NODs from between 05/27 and 05/30 by two weeks to approximately between 06/10 and 06/13 and to revisit this extension this week if the Court has not ruled on Alnylam's Motion to Dismiss or Stay. Given that we have not heard from the Court on Alnylam's Motion to Dismiss or Stay, Alnylam proposes pushing out the depositions to between 07/08 and 07/11. Please let us know if Plaintiff is amenable to this.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

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From: Christian Hurt <churt@McKoolSmith.com>

Sent: Tuesday, May 13, 2025 9:17 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfisher@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Thanks Sammy. That works. Agreed.

Christian

McKool Smith | Christian Hurt

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Tuesday, May 13, 2025 at 5:30 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfisher@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Thanks, Christian. We are in agreement with the bullet point list you provided, with the slight edit we added in yellow highlight below. Please let us know if this works for Plaintiff.

- The deadline to respond to the First Set of Requests for Production and First Set of Interrogatories would be extended to 7/7 (30 days). If the case is in Texas on 7/7 and the motion to stay has not been granted, Defendants agree to provide substantive interrogatory responses (i.e., narrative responses and/or Rule 33(d) citations to specific produced documents) and a substantive document production by 7/7. If the Court has not yet ruled on Alnylam's motion to stay (Dkt. 38) or Alnylam's motion to dismiss/transfer (Dkt. 21) by 6/30, the parties will meet-and-confer on Plaintiff's Interrogatory Nos. 13-16 and Requests for

Production No. 30-40, including on a motion for a protective order regarding those requests.

- The deposition dates (currently noticed between 05/27 and 05/30) would be extended by two weeks to approximately between 06/10 and 06/13. The parties will meet-and-confer later this month on timing regarding Plaintiff's deposition notices if Alnylam's motion to stay (Dkt. 38) and Alnylam's motion to dismiss/transfer (Dkt. 21) are still pending. If the Court rules on either Alnylam's motion to stay (Dkt. 38) or Alnylam's motion to dismiss/transfer (Dkt. 21) before then, the parties will meet-and-confer at that time on the deposition notices.
- The parties agree that neither party can use the existence of the discovery extension or its terms in any way in connection with Alnylam's motion to stay (Dkt. 38) or Alnylam's motion to dismiss/transfer (Dkt. 21) as indicated in my May 12th email below. Similarly, to the extent either party serves discovery requests in the future, the opposing party agrees that it will not use the serving of such requests (or the contents of such requests) to argue anything in connection with the motion to stay (Dkt. 38) or Alnylam's motion to dismiss/transfer (Dkt. 21).

SAMMY SCHICKEL

Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

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From: Christian Hurt <churt@McKoolSmith.com>

Sent: Tuesday, May 13, 2025 4:00 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Hi Sammy –

I think we are close. Let me know if this works.

- The deadline to respond to the First Set of Requests for Production and First Set of Interrogatories would be extended to 7/7 (30 days). If the case is in Texas on 7/7, Defendants agree to provide substantive interrogatory responses (*i.e.*, narrative responses and/or Rule 33(d) citations to specific produced documents) and a substantive document production by 7/7. If the Court has not yet ruled on Alnylam's

motion to stay (Dkt. 38) or Alnylam's motion to dismiss/transfer (Dkt. 21) by 6/30, the parties will meet-and-confer on Plaintiff's Interrogatory Nos. 13-16 and Requests for Production No. 30-40, including on a motion for a protective order regarding those requests.

- The deposition dates (currently noticed between 05/27 and 05/30) would be extended by two weeks to approximately between 06/10 and 06/13. The parties will meet-and-confer later this month on timing regarding Plaintiff's deposition notices if Alnylam's motion to stay (Dkt. 38) and Alnylam's motion to dismiss/transfer (Dkt. 21) are still pending. If the Court rules on either Alnylam's motion to stay (Dkt. 38) or Alnylam's motion to dismiss/transfer (Dkt. 21) before then, the parties will meet-and-confer at that time on the deposition notices.
- The parties agree that neither party can use the existence of the discovery extension or its terms in any way in connection with Alnylam's motion to stay (Dkt. 38) or Alnylam's motion to dismiss/transfer (Dkt. 21) as indicated in my May 12th email below. Similarly, to the extent either party serves discovery requests in the future, the opposing party agrees that it will not use the serving of such requests (or the contents of such requests) to argue anything in connection with the motion to stay (Dkt. 38) or Alnylam's motion to dismiss/transfer (Dkt. 21).

I believe this captures everything. The main thing I did not see in your email was that we need Defendants to agree to provide substantive interrogatory responses (*i.e.*, narrative responses and/or Rule 33(d) citations to specific produced documents) and will provide a substantive document production by 7/7 assuming the case is still in Texas. What we can't have happen is that 7/7 arrives and we just get a slate of objections without any substantive discovery (*e.g.*, narrative/proper Rule 33(d) responses and documents).

Thanks,

Christian

McKool Smith | Christian Hurt

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Tuesday, May 13, 2025 at 1:34 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>,

Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

Thanks for your proposal. Just so that we are on the same page, we agree to the following:

- Extend by 30 days to 7/7 Alnylam's responses to Plaintiff's Rogs/RFPs (if the case is still in Texas) that are directed to substantive issues with the portion directed to venue addressed below.
- Extend the deposition dates (currently noticed between 05/27 and 05/30) by 2 weeks to approximately between 06/10 and 06/13 (depending on deponent availability).
- Meet and confer later this month on timing regarding Plaintiff's deposition notices, to the extent that Alnylam's motion to stay/dismiss are still pending.

To be clear, to the extent the court has not ruled on Plaintiff's request for venue discovery sufficiently by the 7/7 due date for Alnylam's responses to Plaintiff's Rogs and RFPs, Alnylam will not provide responses to Plaintiff's Rogs 13-16 and RFPs 30-40, which are all directed to venue discovery. We can meet and confer with Plaintiff as that date approaches but would seek a protective order on that to the extent the parties can't reach an agreement.

We agree that neither party can use the existence of the discovery extension or its terms in any way in connection with the motions to stay and transfer/dismiss as indicated in your email below. Similarly, to the extent Alnylam serves discovery requests, please confirm that Plaintiff will not use that to argue anything in connection with the motions to stay and transfer/dismiss.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | **vCard** | **LinkedIn**

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Monday, May 12, 2025 9:11 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre

<mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Sammy –

On discovery, Plaintiff can agree to the following. Let me know if this works.

For the interrogatories and requests for production served on 5/7, Plaintiff can agree to a four-week extension. For the depositions whose notices were served on 5/7, Plaintiff can agree to extend those by two weeks.

In exchange, Defendants will provide by 7/7 (what I calculate as the extended deadline) substantive responses to Plaintiff's interrogatories and provide a substantive document production in response to Plaintiff's requests for production unless the Court has granted Defendants' motion to stay or motion to dismiss / transfer by that date. For depositions, we would meet-and-confer on those within two weeks depending on the case landscape at that time (e.g., Defendants will provide deposition dates, confer on a motion for a protective order, or the exercise might be moot depending on the Court's rulings by that time).

The parties would also agree that neither party can use the existence of the extension or its terms in any way in connection with the motions to stay and transfer / dismiss (e.g., Plaintiffs will not argue that Defendants will not be prejudiced by producing discovery by virtue of them agreeing to produce discovery and Defendants will not argue that Plaintiff will not be prejudiced by a stay of venue discovery by virtue of agreeing to postpone the noticed depositions).

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Christian Hurt <churt@McKoolSmith.com>

Sent: Monday, May 12, 2025 12:02 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre

<mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Sammy – Thanks again for taking the time this morning to talk.

Attached is a draft of the ESI Order along the lines we discussed (clean and redline off of your version). Let me know if this looks good to file.

I'll get back to you all (hopefully today) on where we are at on discovery after our call.

Thanks,

Christian

McKool Smith | Christian Hurt

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From: Christian Hurt <churt@McKoolSmith.com>

Sent: Monday, May 12, 2025 10:22 AM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Sammy –

My apologies in the delay getting back to you. Plaintiff cannot agree to stay discovery stay discovery pending resolution of the various motions.

Let's discuss on the call what relief you all are asking for and what daylight, if any, you all see between so-called "merits discovery," which I think fairly characterizes the vast majority of the discovery we served, versus requests that are more geared towards venue discovery.

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Christian Hurt <churt@McKoolSmith.com>

Date: Friday, May 9, 2025 at 10:17 AM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Sammy – I’m still waiting to hear back (folks on our team are out of the office this week).

In the meantime, I accepted all of your edits to the PO and made no other changes. I changed a reference in the cover pleading to the “ESI Order” to say the “Protective Order.” A clean version is attached. Let me know if we can get this on file today.

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Thursday, May 8, 2025 at 4:40 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>,

Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfisher@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Thanks, Christian.

That's correct. We are asking Plaintiff to stay discovery pending resolution of the various motions and/or to push out the dates to give the Court time to rule on the pending motions. If Plaintiff does not agree to accommodate the pending motions before the Court, we will seek a protective order.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

[Website](#) | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Thursday, May 8, 2025 2:43 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfisher@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Hi Sammy –

I'll check with the client.

Reading between the lines, it sounds like you are asking the Plaintiff to stay discovery pending resolution of the motion to stay or motion to dismiss / transfer (whichever happens first). Is that right?

I also assume that, if the Plaintiff does not so agree, Defendants will refuse to provide

discovery and deposition dates. Is that correct?

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: (214) 978-4060 | Mobile: (832) 659-4460

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Thursday, May 8, 2025 at 2:36 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

We received your discovery requests, including your deposition notices and rogs/rfps. Given that our motion to stay is pending and the Court has not yet ruled on Plaintiff's request for venue discovery, we ask that Plaintiff either withdraw its requests or provide an extension to allow time for the Court to rule on Alnylam's motion to stay and Plaintiff's request for venue discovery. Please let us know Plaintiff's position on this in advance of our call on Monday.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Wednesday, May 7, 2025 9:08 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Thanks Sammy. That works for me. Talk to you all on Monday.

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Wednesday, May 7, 2025 at 5:37 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

We are available Monday at 11 AM CST. If that time works, we can use the dial-in below.

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[+16699009128](tel:+16699009128)..97486041295#..#..646248#

Meeting URL: <https://mwe.zoom.us/j/97486041295?pwd=kxzatZrDRhtT1yyvf7QsEjLA5dVsXM.1&from=addon>

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United Kingdom: +44 131 460 1196

Italy: +39 020 066 7245

Germany: +49 69 3807 9883

Belgium: +32 2 290 9360

Phone Password: 646248

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

[Website](#) | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Monday, May 5, 2025 12:51 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sifischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Sammy –

Can you provide a time on Friday or early next week (Monday or Tuesday) to meet-and-confer on the ESI Order and discovery (see below)? My schedule is generally open on Friday morning, Monday until 330 PM Central, and Tuesday after 1030 AM Central.

We've reviewed the edits to the PO, and I think we can accept those.

We'll need to discuss ESI Order, specifically the number of custodians and search terms. Our proposal largely followed the Model Order in E.D. Tex., and we think that should at least apply given the meetings between the parties and the number of people involved.

In addition, on Wednesday (5/7), we'll serve personal deposition notices for the following

Alnylam witnesses (in addition a set of 30(b)(6) topics we're in the process of finalizing as well as RFPs and interrogatories):

- Ben Johnson
- Heather Smith
- Jane Regan
- Steve Bossone

I'd like to discuss on the meet-and-confer whether Alnylam will provide deposition dates for these witnesses and provide discovery or if Alnylam will refuse to produce witnesses for depositions and will not provide discovery. If it's the latter, we need to timely raise this issue with the Court.

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Christian Hurt <churt@McKoolSmith.com>

Date: Wednesday, April 30, 2025 at 6:25 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfisher@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Thanks Sammy for taking my call. I appreciate it. We'll file the motion tonight as unopposed. Thanks again.

Christian

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Principal | Dallas | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

From: Schickel, Samoneh <[Sschickel@mwe.com](mailto:sschickel@mwe.com)>

Sent: Wednesday, April 30, 2025 3:27:08 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Thanks, Christian. We are trying to reach a compromise on the briefing and the schedule where Alnylam isn't delayed by a week in getting a hearing on Alnylam's motion to stay before Magistrate Judge Lane. If Plaintiff isn't willing to agree to move the opening of fact discovery by one week, would you agree to not serve any discovery for a week? We would like to reach a compromise that is fair to both parties.

SAMMY SCHICKEL

Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Wednesday, April 30, 2025 12:50 PM

To: Schickel, Samoneh <[Sschickel@mwe.com](mailto:sschickel@mwe.com)>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Thanks Sammy. Our client can't agree to that condition.

We're requesting the extension as a courtesy because our team members are traveling the rest of this week and have briefs due early next week in other cases.

Please let me know if Alnylam opposes our request and, if so, please give me a call this afternoon so we can meet our meet-and-confer obligations.

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Wednesday, April 30, 2025 at 10:43 AM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

We are amenable to a one-week extension for Plaintiff's response, so long as Plaintiff will agree to move the opening of fact discovery by one week. This would put the parties in the same position that we are in right now. Currently, the opening of fact discovery is May 7th, and Plaintiff's response is due May 6th. A one-week extension to both Plaintiff's response and the opening of fact discovery would put Plaintiff's response due date on May 13th and the opening of fact discovery on May 14th. Please let us know if Plaintiff is amenable to this.

With respect to the meet and confer, my understanding was that Plaintiff asked if Alnylam was seeking a stay on venue discovery or on all case deadlines. We stated that we were seeking a stay on all case deadlines. I further understood Plaintiff to ask if Alnylam would consider a stay to just venue discovery, as a way to potentially moot Alnylam's need to file a motion to stay. Based on your email below, it sounds like Plaintiff was not floating this as a potential compromise, so we appreciate you clarifying that.

Thanks,
Sammy

SAMMY SCHICKEL

Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | **vCard** | **LinkedIn**

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Tuesday, April 29, 2025 5:56 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfisher@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Counsel –

Please let me know if Defendants will oppose a one-week extension for our response.

Also, in addition, so we are all clear going forward, I want to note that Defendants' Motion does not accurately characterize today's meet-and-confer discussions. I inquired if Defendants' relief sought to stay only venue discovery or sought to stay all discovery; I did not ask "whether Alnylam would consider a stay to just venue discovery."

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: (214) 978-4060 | Mobile: (832) 659-4460

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From: Schickel, Samoneh <Sschickel@mwe.com>

Sent: Monday, April 28, 2025 10:55 AM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfisher@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Thanks, Christian. 2 PM CST tomorrow works for us. Dial-in is below.

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[+16699009128..96023730679#..#.638080#](tel:+16699009128..96023730679#..#.638080#)
Meeting URL: [https://mwe.zoom.us/j/96023730679?
pwd=1jUpiardQ4C6kDBZajETcOJSPV9AEa.1&from=addon](https://mwe.zoom.us/j/96023730679?pwd=1jUpiardQ4C6kDBZajETcOJSPV9AEa.1&from=addon)

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Belgium: +32 2 290 9360

Phone Password: 638080

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From: Christian Hurt <churt@McKoolSmith.com>

Sent: Monday, April 28, 2025 10:33 AM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Thanks Sammy. I'm free tomorrow starting at 200 PM Central.

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Monday, April 28, 2025 at 10:29 AM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

Attached are our edits to the Protective Order and ESI Order.

Also, please let us know your availability to meet and confer tomorrow on Alnylam's motion to stay.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [LinkedIn](#)

From: Schickel, Samoneh

Sent: Saturday, April 26, 2025 7:40 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>; Fareed, Syed <Sfareed@mwe.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

Apologies for the delay on getting our edits to the Protective Order and ESI Order to you. Various members of our team have been traveling the past couple of weeks and will be traveling this week for other cases. We will have our edits to you as soon as possible.

Separately, we intend to file a motion to stay the case. Please let us know if you are available for a meet and confer on Monday or Tuesday. We are available on Monday between 10:30 AM – 4 PM CST and Tuesday anytime until 4 PM CST.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Wednesday, April 23, 2025 3:50 PM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>; Fareed, Syed <Sfareed@mwe.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Bill and Syed – It was nice to meet you all this morning in person.

Attached is a Word version of the Schedule per the Court's Order. If this looks good, I'll email it to the law clerk.

In addition, please provide any edits to the Protective Order and ESI Order we sent around three weeks ago.

Thanks,

Christian



Christian Hurt
Principal

Dallas, TX
Tel: (214) 978-4060 | Mobile: (832) 659-4460
www.mckoolsmith.com

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Sunday, April 20, 2025 at 9:23 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

That works. Thanks, Christian.

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701-4076

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [Twitter](#) | [LinkedIn](#)

On Apr 20, 2025, at 9:20 PM, Christian Hurt <churt@mckoolsmith.com> wrote:

[External Email]

Hi Sammy – We won't have any further changes. I assume I can change the meet-and-confer date on both parties' submissions to April 14 (instead of April 13). We'll get it on file.

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Friday, April 18, 2025 at 5:06 PM

To: Christian Hurt <churt@McKoolSmith.com>, Gaede, William <WGaede@mwe.com>

Cc: Jamie Levien <jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

Our edits to the scheduling order are in the attached in red line. To the extent you made additional edits, we would like to review.

We don't have any edits to the joint notice as currently drafted.

Thanks, and have a good weekend,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Friday, April 18, 2025 1:07 PM

To: Gaede, William <WGaede@mwe.com>; Schickel, Samoneh <Sschickel@mwe.com>

Cc: Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Hi Bill – See if this one works.

Christian

McKool Smith | Christian Hurt
Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Gaede, William <WGaede@mwe.com>

Sent: Friday, April 18, 2025 11:53 AM

To: Christian Hurt <churt@McKoolSmith.com>; Schickel, Samoneh <Sschickel@mwe.com>

Cc: Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfisher@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

Looks like the redline may have been scrubbed when sent as I don't see any redline on my version. Can you re-send?

Thanks,

Bill

WILLIAM G. GAEDE
Partner

Intellectual Property Practice Group

McDermott Will & Emery LLP 415 Mission Street, Suite 5600, San Francisco, CA 94105-2616

Tel +1 650 815 7435 **Mobile** +1 415 999 4597 **Email** wgaede@mwe.com
[Biography](#) | [Website](#) | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>
Sent: Friday, April 18, 2025 9:26 AM
To: Schickel, Samoneh <Sschickel@mwe.com>
Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>
Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Hi Sammy – I accepted all of Defendants' changes and then redlined from there (clean and redline attached). Also attached is the Joint Notice. Let me know if these look good. Given the Monday noon deadline, I'd appreciate any edits today / tomorrow.

Thanks,

Christian

McKool Smith | Christian Hurt
Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Christian Hurt <churt@McKoolSmith.com>
Sent: Wednesday, April 16, 2025 5:35 PM
To: Schickel, Samoneh <Sschickel@mwe.com>
Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>
Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and

ESI Order

Thanks Sammy. I'll take a look.

I was hopeful that we'd get agreement on the schedule after the call (or at least make some traction), so I took out all the arguments). But it appears that Alnylam will not move off its position on discovery and the schedule. Please let me know if I am wrong about that.

We'll circulate a draft of a joint letter for filing on Monday. I'm in Court tomorrow, so it may not be until tomorrow night.

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:2149784060) | Mobile: [\(832\) 659-4460](tel:8326594460)

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Wednesday, April 16, 2025 at 4:55 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien

<jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>,

Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah

<Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre

<mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam

<MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns

<ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

Thanks for sending along the redline. With respect to the claim construction briefing, we aren't amenable to doing simultaneous exchange of opening/reply claim construction briefs. We reverted to the original briefing schedule, but to compromise,

agreed to plaintiff having a sur-reply.

We also disagreed with taking out Alnylam's arguments regarding the case schedule, so we rejected your edits. We made a couple of additional edits, but they are minor (e.g., pushing out the JCC statement by 1 week to accommodate plaintiff's sur-reply).

Please let us know if you'd like to discuss. Happy to jump on a call.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Tuesday, April 15, 2025 9:26 AM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>;

Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>;

Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre

<mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <[\[Alnylam@mckoolsmith.com\]\(mailto:Alnylam@mckoolsmith.com\)>; Amanda K. Johns <\[ajohns@McKoolSmith.com\]\(mailto:ajohns@McKoolSmith.com\)>](mailto:MD_Anderson-</p></div><div data-bbox=)

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Sammy and Bill –

Thanks again for taking the time yesterday to meet-and-confer.

Attached is a redline along the lines we discussed on the call.

Let me know if Defendants can agree to open discovery on or around the date Plaintiff's proposed in the Scheduling Order and we can talk about moving some of the other deadlines back to accommodate Defendants' scheduling concerns. Note that we moved our dates back about a month to account for the schedule being entered on the date of the hearing (as opposed to last month when we filed the Proposed Scheduling Order).

Thanks,

Christian

McKool Smith | Christian Hurt
Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Schickel, Samoneh <Sschickel@mwe.com>
Sent: Friday, April 11, 2025 11:09 AM
To: Christian Hurt <churt@McKoolSmith.com>
Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>
Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Thanks, Christian. That works for us. Dial-in is below.

[Join McDermott Zoom Meeting](#)

Meeting ID: 933 5363 6390
Password: 497217
Phone one-tap: US: [+16699009128](tel:+16699009128)..93353636390#..#..497217# or
[+17207072699](tel:+17207072699)..93353636390#..#..497217#
Meeting URL: <https://mwe.zoom.us/j/93353636390?pwd=HeqoreREW4Nk6albl1dlsKXk4clXKi.1&from=addon>

Join by Telephone

For higher quality, dial a number based on your current location.

Dial:

US: +1 669 900 9128 or +1 720 707 2699 or +1 646 558 8656
United Kingdom: +44 131 460 1196
Italy: +39 020 066 7245
Germany: +49 69 3807 9883
Belgium: +32 2 290 9360

Phone Password: 497217

International numbers

Have a good weekend,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701

Tel +1 512 298 5686 **Email** sschickel@mwe.com

Website | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>

Sent: Friday, April 11, 2025 10:02 AM

To: Schickel, Samoneh <Sschickel@mwe.com>

Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>;
Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>;
Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre
<mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: Re: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and
ESI Order

[External Email]

Thanks Sammy. I am free on Monday (4/14) at 1030 AM Central.

Thanks,

Christian

McKool Smith | Christian Hurt

Principal | Dallas, TX | Tel: [\(214\) 978-4060](tel:(214)978-4060) | Mobile: [\(832\) 659-4460](tel:(832)659-4460)

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From: Schickel, Samoneh <Sschickel@mwe.com>

Date: Tuesday, April 8, 2025 at 6:16 PM

To: Christian Hurt <churt@McKoolSmith.com>

Cc: Gaede, William <WGaede@mwe.com>, Jamie Levien

<jlevien@McKoolSmith.com>, Saif Askar <saskar@McKoolSmith.com>, Columbia, Sarah <Scolumbia@mwe.com>, Fischer, Sarah <Sjfischer@mwe.com>, Kim, Mandy <Mhkim@mwe.com>, Melissa Pitre <mrichardson@McKoolSmith.com>, MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>, Amanda K. Johns <ajohns@McKoolSmith.com>

Subject: RE: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

Hi Christian,

We are reviewing the documents you sent and will get our edits back to you as soon as we can.

With respect to Magistrate Judge Lane's order that we meet and confer regarding the scheduling order, are you available on Monday (04/14)? We are available from 10:30 AM – 1 PM CST that day.

Thanks,
Sammy

SAMMY SCHICKEL
Partner

McDermott Will & Emery LLP 300 Colorado Street, Suite 2200, Austin, TX 78701
Tel +1 512 298 5686 **Email** sschickel@mwe.com
Website | [vCard](#) | [LinkedIn](#)

From: Christian Hurt <churt@McKoolSmith.com>
Sent: Thursday, April 3, 2025 11:30 AM
To: Schickel, Samoneh <Sschickel@mwe.com>
Cc: Gaede, William <WGaede@mwe.com>; Jamie Levien <jlevien@McKoolSmith.com>; Saif Askar <saskar@McKoolSmith.com>; Columbia, Sarah <Scolumbia@mwe.com>; Fischer, Sarah <Sjfischer@mwe.com>; Kim, Mandy <Mhkim@mwe.com>; Melissa Pitre <mrichardson@McKoolSmith.com>; MD_Anderson-Alnylam <MD_Anderson-Alnylam@mckoolsmith.com>; Amanda K. Johns <ajohns@McKoolSmith.com>
Subject: Board of Regents v. Alnylam (WDTX 1:24-cv-1524) -- Protective Order and ESI Order

[External Email]

Hi Sammy – I wanted to get the process started on the Protective Order and ESI Order. Attached are drafts of each. Please let me know if you all have any edits.

Thanks,

Christian

— | —

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